

**STATE OF MICHIGAN**  
**THE CIRCUIT COURT FOR THE COUNTY OF WASHTENAW**

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CITY OF YPSILANTI, a Michigan  
municipal corporation

Plaintiff,

v.

M.I.C. LIMITED, INC., YPSILANTI  
ART THEATRE CORP. d/b/a Deja Vu  
Showgirls Ypsilanti,  
INTERNATIONAL AMUSEMENT,  
LTD.,

Defendants

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Case No. 21-000696-CE

Honorable Carol Kuhnke

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**CORRECTED      ORDER STAYING CASE**

At a session of this Court held in the City of Ann  
Arbor, Washtenaw County, State of Michigan

The Parties, having appeared before the Court pursuant to Defendants' Motion for Summary Disposition in Lieu of Answer, and the Court, having considered the Parties' papers and heard oral argument on September 9, 2021, finds:

1. There is a preexisting case in United States District Court for the Eastern District of Michigan captioned as: *Ypsilanti Art Theatre Corp, et al., v. City of Ypsilanti, et al.*, No. 5:21-cv-10982-JEL-APP (the "Federal Action");

2. Defendants M.I.C. Limited, Inc. and Ypsilanti Art Theatre Corp., plaintiffs in the Federal Action, filed the Federal Action on April 30, 2021;

3. Plaintiff City of Ypsilanti, along with its Planning Commission, City Planner Andy Aamodt (in his official capacity), and its Director of Economic Development Joe Meyers (in his official capacity) are defendants in the Federal Action;

4. The Federal Action involves and arises out of the same set of facts as the action now before the Court;

5. Plaintiff, a defendant in the Federal Action, filed in the Federal Action what the Parties referred to here as a “*Younger* Motion” that seeks to dismiss the Federal Action pursuant to the abstention doctrine pronounced in *Younger v. Harris*, 401 U.S. 37 (1971); and

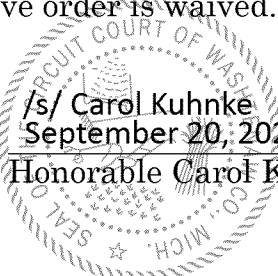
6. The Court is informed that the *Younger* Motion is set for hearing on Thursday, October 21, 2021.

WHEREFORE, in order to preserve judicial resources, avoid potentially conflicting judicial decisions with regard to issues arising from the same set of facts, and promote fiscally responsible litigation, *see generally Consumers’ Power Co v. Mich Pub Util Comm’n*, 270 Mich 213; 258 NW 250 (1935), this Court hereby ORDERS as follows:

- A. This case is STAYED pending further order of the Court; and
- B. Once a decision is issued on the “*Younger* Motion” pending in the Federal Action, the parties shall contact chambers to set a status conference.

Notice and hearing on entry of the above order is waived.

Dated: 9/20/2021

  
/s/ Carol Kuhnke  
September 20, 2021  
Honorable Carol Kuhnke

Prepared by:

/s/ Matthew J. Hoffer

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